

**Examiner-Initiated Interview Summary**

Application No.

10/812,038

Applicant(s)

HOEY ET AL.

Examiner

Charles A. Marmor, II

Art Unit

3736

**All Participants:**(1) Charles A. Marmor, II.(2) Jonathan Spangler.**Status of Application:** Amended

(3) \_\_\_\_\_.

(4) \_\_\_\_\_.

**Date of Interview:** 2 March 2006**Time:** 4:00 PM (EST)**Type of Interview:**☒ Telephonic☐ Video Conference☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

**Part I.**

Rejection(s) discussed:

None

Claims discussed:

1,9 and 17

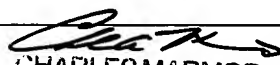
Prior art documents discussed:

U.S. Patent No. 5,759,159 (Masreliez)

**Part II.**

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

**Part III.**☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.  
CHARLES MARMOR  
PRIMARY EXAMINER

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: It was agreed to add the words --type of-- to the limitations of "identifying a characterized body tissue" in each of the independent claims in order to make the limitation more consistent with Applicant's arguments filed with the Amendment of 28 March 2005, which clearly define the present invention over that of Masreliez. The amendments that have been agreed to are made via the Examiner's Amendment of Paper No. 03022006. Applicant's Amendments of 28 March 2005 have obviated the obviousness-type double patenting rejections set forth in the Office Action of 21 September 2004.